

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Counter-Defendant,

v.

Case Number 11-CV-13218
Honorable Thomas L. Ludington

KEITH SKUTT,

Defendant/Counter-Plaintiff.

**ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT,
AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

This matter is before the Court on the report and recommendation (ECF No. 21) issued by Magistrate Judge Charles Binder on May 10, 2012, on the cross-motions for summary judgment filed by Plaintiff and Defendant (ECF Nos. 17, 19). Judge Binder recommends that the Court grant Plaintiff's motion, deny Defendant's motion, and enter judgment for Plaintiff in the amount of \$32,260.06.

Any party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* The Court is not obligated to review the portions of the report to which no objection was made. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). As of today's date, no party has filed any objections to Judge Binder's report and recommendation.

Accordingly, it is **ORDERED** that Judge Binder's report and recommendation (ECF No. 21) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment (ECF No. 17) is **GRANTED**.

It is further **ORDERED** that Defendant's motion for summary judgment (ECF No. 19) is **DENIED**.

It is further **ORDERED** that Defendant's counterclaim is **DISMISSED WITH PREJUDICE**.

Dated: May 31, 2012

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon Plaintiff/Counter-Defendant's attorney of record herein by electronic means and upon Keith Skutt at P O Box 5677, Saginaw, MI 48604 by first class U.S. mail on May 31, 2012.

s/Tracy A. Jacobs
TRACY A. JACOBS